

Inland Fisheries and Wildlife

PUBLIC 21 An Act to Create the Maine Youth Conservation Wildlife Management Area

LD 26

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP	OTP	

Public Law 2003, chapter 21 creates the Maine Youth Conservation Wildlife Management Area on lands in T32 MD owned or leased by the Department of Inland Fisheries and Wildlife.

PUBLIC 27 An Act Regarding Fish Stocking Decisions

LD 82

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HONEY BRYANT	OTP-AM	H-15

Public Law 2003, chapter 27 repeals the requirement that the Department of Inland Fisheries and Wildlife conduct public meetings whenever the department changes management or fish stocking objectives on a body of water.

PUBLIC 54 An Act To Encourage Dog Tracking of Wounded Big Game Animals

LD 460

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRAHAN HALL	OTP-AM	H-39

Public Law 2003, chapter 54 allows a person licensed to track wounded animals with leashed dogs to charge a fee for the tracking service and adds moose and bear to the list of game animals that a tracker may track with leashed dogs.

PUBLIC 73 An Act To Improve the Coyote Control Program

LD 237

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE HALL	OTP-AM MAJ OTP-AM MIN	H-75

Public Law 2003, chapter 73 sets conditions and requirements for agents of the Department of Inland Fisheries and Wildlife who use snares for the control of coyotes during winter months.

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PUBLIC 113 An Act To Increase Protection for Endangered and Threatened Species

LD 303

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE GAGNON	OTP-AM	H-105

Public Law 2003, chapter 113 makes a negligent violation of the laws protecting endangered and threatened species a Class E crime and the intentional violation of those laws a Class E crime.

PUBLIC 122 An Act Relating to the Operation of Snowmobiles

LD 354

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARPENTER DUNLAP	OTP-AM	S-50

Public Law 2003, chapter 122 requires any person under 18 years of age to wear a helmet while operating or riding a snowmobile on a snowmobile trail identified by the Department of Conservation, Bureau of Parks and Lands as having been funded by the Snowmobile Trail Fund.

**PUBLIC 139 An Act To Promote and Advance Wild Ring-necked Pheasant
EMERGENCY Propagation**

LD 875

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
USHER CARPENTER	OTP-AM	H-129

Public Law 2003, chapter 139 prohibits the taking a female pheasant in certain areas of the State and directs the Commissioner of Inland Fisheries and Wildlife to create a fall hunting season for male pheasants in the coastal area from Kittery to Bath.

Pubic Law 2003, chapter 139 was enacted as an emergency measure effective May 14, 2003.

**PUBLIC 189 An Act Relating to ATV Registration
EMERGENCY**

LD 359

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FINCH	OTP-AM MAJ ONTP MIN	H-130

Public Law 2003, chapter 189:

1. Repeals the reciprocity provision relating to ATV registration;

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2. Imposes a temporary \$3 fee on all ATV registrations for the registration periods beginning July 1, 2003 and July 1, 2004. The temporary fee is credited to the ATV Recreational Management Fund of the Department of Conservation. (This fee is in addition to the temporary fee increase imposed by the Part I budget bill; the net result is a resident ATV registration fee of \$33 and a nonresident ATV registration fee of \$68 for the registration periods beginning in July 1, 2003 and July 1, 2004);
3. Modifies language relating to the ATV law enforcement grant-in-aid program to remove reference to funding for the program coming from the ATV Recreational Management Fund; and
4. Appropriates \$50,000 to the Department of Inland Fisheries and Wildlife from increased revenues generated by this law to restore funding for operational costs.

Public Law 2003, chapter 189 was enacted as an emergency measure effective May 16, 2003.

PUBLIC 258	An Act Imposing a Horsepower Restriction for Boat Motors on Pickerel Pond	LD 25
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<u>Sponsor(s)</u> DUNLAP	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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Public Law 2003, chapter 258 prohibits the operation of a motorboat equipped with a motor greater than 10 horsepower on Pickerel Pond in the territory of T32 MD in Hancock County.

PUBLIC 260	An Act To Create the Snowmobile Trail Fund Advisory Council	LD 778
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<u>Sponsor(s)</u> CLARK KNEELAND	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-306
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Public Law 2003, chapter 260 establishes the Snowmobile Trail Fund Advisory Council to provide advice and information on the management of the Snowmobile Trail Fund.

PUBLIC 269	An Act To Amend the Filing Requirements for Special Hide Dealers	LD 1061
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<u>Sponsor(s)</u> BRYANT-DESCHENE BLAIS	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-303
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Public Law 2003, chapter 269 removes the requirement that special hide dealers make annual filings with the Department of Inland Fisheries and Wildlife and requires dealers to retain certain records for at least three years.

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PUBLIC 276 An Act Regarding Alewife Harvesting

LD 106

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TARDY MITCHELL	OTP-AM	H-302

Public Law 2003, chapter 276 authorizes the Department of Inland Fisheries and Wildlife to regulate the type of gear used to harvest or concentrate for harvest alewives, eels, suckers, lampreys and yellow perch and authorizes the use of fish pumps to harvest alewives.

PUBLIC 277 An Act To Improve Boating in Maine

LD 1280

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENNETT R	OTP	

Public Law 2003, chapter 277 requires airmobiles and motorboats to pass noise limit tests with cutouts engaged and disengaged and sets a minimum of a \$300 fine for exceeding noise limits. It also exempts those vessels from the noise limits while the vessels are engaged in an organized racing event that is sanctioned by a recognized racing organization and registered with the Commissioner of Inland Fisheries and Wildlife. The bill also clarifies that the discharge of septic fluids into the inland waters of the State is illegal.

PUBLIC 280 An Act To Establish the Landowners and Sportsmen Relations Advisory Board

LD 1456

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP BRYANT	OTP-AM	H-305

Public Law 2003, chapter 280 establishes the Landowners and Sportsmen Relation Advisory Board.

PUBLIC 330 An Act To Provide "Any-deer" Permits to Permanently Disabled Nonambulatory Persons

LD 786

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P CARR	OTP-AM	S-144

Public Law 2003, chapter 330 allows a person who holds a valid antlerless deer permit to transfer that permit to someone who suffers ambulatory disabilities. It also permits a person who suffers an ambulatory disability and resides in a zone in which antlerless deer permits are not issued to take an antlerless deer on youth deer hunting day.

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PUBLIC 331 An Act To Simplify the Requirements for Tagging, Registering and Transporting Harvested Animals

LD 806

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT PINEAU	OTP-AM	S-142

Public Law 2003, chapter 331 simplifies the tagging and registration requirements for harvested animals by providing the same tagging and registering requirements for bear, deer, moose and wild turkey. It allows a person to transport a harvested animal if that animal is lawfully harvested and possessed by that person. Additionally, it removes the requirement that tags be issued as part of the hunting license and makes a violation of registration requirements a Class E crime.

PUBLIC 333 An Act To Encourage Hunting by Simplifying Hunting Laws

LD 1083

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP BRYANT	OTP-AM	H-391

Public Law 2003, chapter 333 does the following:

1. It changes the location used for determining sunrise and sunset times from Augusta to Bangor and defines night hunting as hunting between 30 minutes after sunset and 30 minutes before sunrise;
2. It repeals the twilight hunting prohibition;
3. It caps the amount of agent fees that can be charged for a single transaction at \$6 and defines a "transaction" to mean a single event in which one or more licenses or permits are issued to a given person in that person's name;
4. It includes "mechanical broadheads when open" in the width requirement for arrowheads used to hunt deer;
5. It repeals the requirement that the Department of Inland Fisheries and Wildlife advertise bear and deer registration stations in one or more of the State's daily newspapers;
6. It amends the prohibition on placing bear bait within 500 yards of a dump by clarifying the word "dump" to mean a site permitted or licensed for the disposal of solid waste, and it extends from 200 yards to 500 yards the area around a solid waste disposal site that is off limits to bear hunting and trapping activities;
7. It allows a person to shoot from a boat as long as the boat is not being propelled by its motor;
8. It removes the requirement that the Department of Inland Fisheries and Wildlife provide bear tags as part of the big game license;
9. It repeals the law that allows a person to leave an unregistered bear in the woods if, within 18 hours, that person notifies a game warden about the location of the bear and the reasons for leaving it in the woods;

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10. It allows a person to possess a gift bear, deer, moose or wild turkey if it is labeled with the name of the person who registered the animal and the year that person registered the animal;
11. It clarifies that a person may not shoot more than one moose per year;
12. It clarifies existing law that a person may assist in a hunt as long as that person does not possess hunting equipment and does not conduct illegal game driving activities; and
13. It allows a person to keep more than one lawfully possessed bear, deer or moose in that person's home.

PUBLIC 336 An Act To Allow Smelt Fishing in Long Lake in Aroostook County LD 860

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH W	OTP-AM MAJ	H-341
MARTIN	ONTP MIN	

Public Law 2003, chapter 336 allows for the recreational harvest of smelt on portions of Long Lake until December 31, 2005. It makes exceeding the daily bag limit a Class E crime and the commercial harvests of smelt in those portions of Long Lake a Class D crime with a minimum fine of \$1,000.

PUBLIC 403 An Act To Revise Certain Provisions of Maine's Fish and Wildlife LD 1482
EMERGENCY Laws

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP	OTP-AM	H-422
BRYANT		H-524 DUNLAP

Public Law 2003, chapter 403 makes the following changes to fish and wildlife laws:

1. In the law governing accident reports by whitewater trip outfitters, it changes the amount of property damage requiring a report from \$100 to \$1,000, which is consistent with other reporting requirements for boating, and clarifies that the reporting requirement for medical attention is for professional medical attention;
2. It removes the requirement that the department publish lists of bear and deer registration stations in a daily newspaper;
3. It removes the requirement that if rulemaking is necessary to shorten the open season on deer, regulate the taking of antlerless deer or create special hunting seasons, the determination must be made and published by a certain date;
4. It removes the requirement that the disabled hunter, trapper and angler advisory committee have a licensed physician as a member;
5. It establishes the Becoming an Outdoors Woman program as a program within the department;

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6. It authorizes the department to issue complimentary fishing licenses to persons with acquired brain injury;
7. It authorizes the department to sell extra copies of the Maine Revised Statutes, Title 12, chapters 701 to 721, as prepared and printed by the department to help offset the cost of printing;
8. It prohibits the use of personal watercraft on Indian Pond;
9. It removes the requirement that a trespass reminder and convicted felon statement be printed on licenses;
10. It establishes a reinstatement fee for licenses that are suspended for failure to comply with court-ordered support under the Maine Revised Statutes, Title 19-A, section 2201;
11. It requires that bait and baitfish be sold in containers that are composed in whole of biodegradable paper or cardboard;
12. It makes the amount of time for registering wild turkeys the same as that for registering bear, deer and moose, 18 hours. It is currently 12 hours;
13. It amends the law prohibiting fishing from a dam in which a fishway is located to make it unlawful to fish from any operational fishway rather than from the dam;
14. It provides that a parent or guardian of a minor under 18 years of age is guilty of unlawfully permitting the operation of a snowmobile if that minor operates a snowmobile in violation of the snowmobile laws;
15. It amends the law to extend the applicability of the prohibition on operating a snowmobile to endanger from only applying to statewide snowmobile trail systems or public right-of-ways open to snowmobiling to all areas of the State;
16. It changes the expiration date for migratory waterfowl permits from June 30th to December 31st of the year issued;
17. It requires that snowmobile operators stop before entering a public way or private way maintained for travel and that snowmobile operators yield the right-of-way to all vehicular traffic while operating on a public way or private way maintained for travel;
18. It adds wild turkeys to and removes elk and caribou from the list of wild animals that an owner must prevent a nuisance dog from cashing or killing;
19. It allows the Commissioner of Inland Fisheries and Wildlife to establish rules regarding permittees that are selected to receive a moose hunting permit but are unable to use the permit;
20. It defines "aquarium" for the purposes of importing and possessing nonnative and exotic species;
21. It exempts a person who holds a smelt wholesale license and fishes with a hook and line from certain restrictions regarding the taking and selling of live smelt;
22. It clarifies that the State has exclusive jurisdiction over the regulation of all-terrain vehicles except that a municipality may regulate the operation of all-terrain vehicles on municipal property and on rights-of-way and easements held by the municipality; and

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23. It establishes a lifetime trapping license and adjusts the cost of combination lifetime licenses to better reflect other fee structures.

Public Law 2003, chapter 403 was enacted as an emergency measure effective June 3, 2003.

PUBLIC 414 An Act To Recodify the Laws Governing Inland Fisheries and Wildlife LD 1600

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-171

Public Law 2003, chapter 414 recodifies the Maine Revised Statutes, Title 12, Part 10 pursuant to Joint Order 2003, Senate Paper 440 and takes effect 90 days after the adjournment of the Second Regular Session of the 121st Legislature. It also directs the Department of Inland Fisheries and Wildlife to develop recommendations to address legal ambiguities and other issues identified by the Office of Policy and Legal Analysis in the course of its work on the recodification and submit legislation to implement its recommendations to the Second Regular Session of the 121st Legislature.

PUBLIC 440 An Act To Redefine "Muzzle-loading Firearm" LD 1170

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRAHAN	OTP-AM	H-537

Public Law 2003, chapter 440 redefines "muzzle-loading firearm" by providing definitions for a muzzleloader, a traditional muzzleloader and a muzzle-loading shotgun.

PUBLIC 480 An Act to Allow Hunters to Exchange Assigned Hunting Areas or Zones with Other Hunters LD 123

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT MCGLOCKLIN	OTP-AM	S-143

Public Law 2003, chapter 480 allows a hunter assigned a hunting zone or area to exchange that zone or area with another hunter. It also authorizes the Commissioner of Inland Fisheries and Wildlife to assess a \$5 transaction fee for the transfer of licenses, permits or zone or area designations.

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PUBLIC 484 **An Act To Prohibit Personal Watercraft on Lake St. George in the**
EMERGENCY **Town of Liberty**

LD 647

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIOTTI	OTP-AM MAJ	S-286 BRYANT
WESTON	OTP-AM MIN	

Public Law 2003, chapter 484 prohibits the operation of personal watercraft on Lake St. George in the Town of Liberty.

Public Law 2003, chapter 484 was enacted as an emergency measure effective June 23, 2003.

PUBLIC 491 **An Act Concerning Illegal Introduction of Fish into Maine Waters**
EMERGENCY

LD 1635

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT		
DUNLAP		

Public Law 2003, chapter 491 requires that any fish legally taken from inland waters must either be released alive into the waters from which it was taken or immediately killed. It also makes possession of live fish in violation of this requirement a Class E crime and requires the suspension of a violator's fishing license for at least one year.

Public Law 2003, chapter 491 was enacted as an emergency measure effective June 23, 2003.

RESOLVE 42 **Resolve, Requiring the Department of Inland Fisheries and Wildlife**
 To Implement the Recommendations of the Maine Inland Fisheries
 Management Program 2002 Review

LD 49

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLWELL	OTP-AM	H-304
BRYANT		

Resolve 2003, chapter 42 requires the Commissioner of Inland Fisheries and Wildlife to report to the Joint Standing Committee on Inland Fisheries and Wildlife no later than 7 days after the effective date of this resolve the commissioner's plans to implement the recommendations of the Maine Inland Fisheries Management Program 2002 Review and to provide semiannual reports updating the Department of Inland Fisheries and Wildlife's progress toward implementing those recommendations until November 1, 2008.

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RESOLVE 44 **Resolve, Authorizing the Commissioner of Inland Fisheries and**
EMERGENCY **Wildlife To Allow a Well and Waterline Easement**

LD 346

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODCOCK	OTP-AM	S-124

Resolve 2003, chapter 44 authorizes the Commissioner of the Department of Inland Fisheries and Wildlife to enter into an amendment of the conservation easement in the Rangeley River conservation corridor. The commissioner may enter into an amendment of the conservation easement to allow the Oquossoc Standard Water District to drill wells near the existing waterline and connect the wells to it, if the commissioner finds that the conservation values of the conservation corridor will not be adversely affected.

Resolve 2003, chapter 44 was enacted as an emergency measure effective May 23, 2003.

RESOLVE 71 **Resolve, Directing the Department of Inland Fisheries and Wildlife**
EMERGENCY **To Conduct a Programmatic Review within Certain Areas of the**
 Department

LD 129

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT DUNLAP	OTP-AM	S-125

Resolve 2003, chapter 71 requires the Commissioner of Inland Fisheries and Wildlife to contract with an experienced firm to conduct a programmatic review of the Division of Public Information and Education, Bureau of Warden Service, Bureau of Administrative Services and the State's wildlife management program. The department must fund the review with funding outside the General Fund. The department shall submit a single report to the Joint Standing Committee on Inland Fisheries and Wildlife by January 4, 2005, regarding work conducted and the findings and recommendations determined pursuant to this resolve.

Resolve 2003, chapter 71 was enacted as an emergency measure effective June 9, 2003.

RESOLVE 89 **Resolve, To Reestablish the Commission To Study the Needs and**
EMERGENCY **Opportunities Associated with the Production of Salmonid Sport**
 Fish in Maine

LD 1358

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT CLARK		H-97 DUNLAP S-271 BRYANT

Resolve 2003, chapter 89 reestablishes the Commission to Study the Needs and Opportunities Associated with the Production of Salmonid Sport Fish in Maine. It authorizes the commission to hold up to 2 meetings and limits the commission's duties to providing assistance in the expenditure of the funds authorized under Private and Special Law 2001, chapter 71 for the renovations and enhancement of wastewater treatment at the Department of Inland Fisheries and Wildlife's fish-rearing facilities.

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Resolve 2003, chapter 89 was enacted as an emergency measure effective June 23, 2003.